

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
AMBASE CORPORATION, 111 WEST 57TH  
MANAGER FUNDING LLC, and 111 WEST  
57TH INVESTMENT LLC, on behalf of itself and  
derivatively on behalf of 111 WEST 57TH  
PARTNERS LLC,

Plaintiffs,

-against-

111 WEST 57TH SPONSOR LLC, 111 WEST  
57TH JDS LLC, PMG WEST 57TH STREET LLC,  
111 WEST 57TH CONTROL LLC, 111 WEST  
57TH DEVELOPER LLC, 111 WEST 57TH KM  
EQUITY LLC, 111 WEST 57TH KM GROUP  
LLC, KEVIN MALONEY, MATTHEW  
PHILLIPS, MICHAEL STERN, NED WHITE, 111  
CONSTRUCTION MANAGER LLC, PROPERTY  
MARKETS GROUP, INC., JDS DEVELOPMENT  
LLC, and JDS CONSTRUCTION GROUP LLC,

Defendants,

111 WEST 57TH PARTNERS LLC,

Nominal Defendant.

ANALISA TORRES, District Judge:

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18 Civ. 5482 (AT)

**ORDER**


For the reasons stated on the record today, it is hereby ORDERED that:

1. Defendants' motion to dismiss, ECF No. 35, is GRANTED. Counts One through Six are dismissed for failure to state a claim, and because the Court declines to exercise supplemental jurisdiction over the remaining claims, Counts Seven through Eighteen are dismissed without prejudice to renewal in state court.
2. Plaintiffs' request for judicial notice, ECF No. 48, is DENIED as moot.

The Clerk of Court is directed to close the case.

SO ORDERED.

Dated: October 25, 2018  
New York, New York

  
ANALISA TORRES  
United States District Judge